

DOCKET

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DOC #: _____
DATE FILED: 02/04/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

: ORDER FOR THE ISSUANCE
: OF AN ~~EX PARTE~~ SUBPOENA
: PURSUANT TO
: RULE 17 (b) & (c)

- v -

: 21 Cr. 194 (LAK)

RICKEY JOHNSON,

Defendant.

-----X

Upon the application of the defendant Rickey Johnson,
the annexed affirmation of Zawadi Baharanyi, Esq., and
finding good cause therefor, it is hereby

ORDERED that pursuant to 17(b) and (c) of the Federal
Rules of Criminal Procedure, the annexed subpoena be issued
to the following:

New York City Police Department
Legal Bureau, Document Protection Unit
1 Police Plaza, Room 110C
New York, NY 10038

Directing production of the following:

** Any and all records within the possession of the NYPD and
NYPD License Division, pertaining to Greg Gutfeld, including
any pending or completed applications for Handguns, any
pending or completed applications for Shotguns/Rifles, any
decisions on these applications along with the corresponding
records, and any correspondence between the NYPD License
Division and Greg Gutfeld regarding any applications or
requests for Handgun/Shotgun licenses.**

and it is further

ORDERED that pursuant to Rule 17(b) of the Federal Rules of Criminal Procedure, the costs incurred by the process and fees of responding to this subpoena shall be paid in the same manner as evidence subpoenaed by the government, and it is further

ORDERED that the subpoena be complied ^{on} ~~with no later~~ ^{16, at 9:30 am shall} ~~than~~ February 4, 2022. The subpoena ~~may~~ be complied with by

having the information delivered to the following address:
Andrew Mohan, deputy clerk, at 500 Pearl St
Zawadi Baharanyi, Esq., Federal Defenders of New York, 52
~~Duane St., 10th Floor,~~ New York, NY 10007, ^{Room 2240.} ~~or emailed to~~

~~Zawadi_Baharanyi@fd.org.~~

ORDERED, that this is without prejudice to any motion to quash or modify by the government or the recipient.

Dated: New York, New York
February 4, 2022

SO ORDERED:


HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE

AO 89B (07/16) Subpoena to Produce Documents, Information, or Objects in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Southern District of New York



United States of America)

v.)

Rickey Johnson)

Defendant)

Case No. 21 Cr. 194 (LAK)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR
OBJECTS IN A CRIMINAL CASETo: New York City Police Department, Legal Bureau, Document Protection Unit
Police Plaza, Room 110C, New York, NY 10038

(Name of person to whom this subpoena is directed)

YOU ARE COMMANDED to produce at the time, date, and place set forth below the following books, papers, documents, data, or other objects:

** Any and all records within the possession of the NYPD and NYPD License Division, pertaining to Greg Gutfeld, including any pending or completed applications for Handguns, any pending or completed applications for Shotguns/Rifles, any decisions on these applications along with the corresponding records, and any correspondence between the NYPD License Division and Greg Gutfeld regarding any applications or requests for Handgun/Shotgun licenses.**

Place:

~~52 Duane Street - 10th Floor
New York, NY 10007~~500 Pearl St, Rm 2240
NY NY 10022

Date and Time: February 9, 2022 at 9:30 a.m.

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Certain provisions of Fed. R. Crim. P. 17 are attached, including Rule 17(c)(2), relating to your ability to file a motion to quash or modify the subpoena; Rule 17(d) and (e), which govern service of subpoenas; and Rule 17(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

(SEAL)

Date:

CLERK OF COURT

SO ORDERED
[Signature] USDT
2-4-22

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the attorney representing (name of party)

Rickey Johnson

, who requests this subpoena, are:

Zawadi Baharanyi, Esq.
Federal Defenders of New York52 Duane Street - 10th Floor, NY, NY 10007
Tel.: 212-417-8735

Notice to those who use this form to request a subpoena

Before requesting and serving a subpoena pursuant to Fed. R. Crim. P. 17(c), the party seeking the subpoena is advised to consult the rules of practice of the court in which the criminal proceeding is pending to determine whether any local rules or orders establish requirements in connection with the issuance of such a subpoena. If no local rules or orders govern practice under Rule 17(c), counsel should ask the assigned judge whether the court regulates practice under Rule 17(c) to 1) require prior judicial approval for the issuance of the subpoena, either on notice or ex parte; 2) specify where the documents must be returned (e.g., to the court clerk, the chambers of the assigned judge, or counsel's office); and 3) require that counsel who receives produced documents provide them to opposing counsel absent a disclosure obligation under Fed. R. Crim. P. 16.

Please note that Rule 17(c) (attached) provides that a subpoena for the production of certain information about a victim may not be issued unless first approved by separate court order.